



Notice of Service of Process

Transmittal Number: 23487806
Date Processed: 07/15/2021

Primary Contact: Marc P. Clements
Jarden Corporation
3600 North Hyrdaulic Street
Wichita, KS 67219-3812

Entity:	Sunbeam Products, Inc. Entity ID Number 3672673
Entity Served:	Sunbeam Products
Title of Action:	Susan Schulte vs. Sunbeam Products, Inc.
Matter Name/ID:	Susan Schulte vs. Sunbeam Products, Inc. (9736297)
Document(s) Type:	Summons/Complaint
Nature of Action:	Personal Injury
Court/Agency:	Oakland County Circuit Court, MI
Case/Reference No:	2021-188462-NP
Jurisdiction Served:	Michigan
Date Served on CSC:	07/14/2021
Answer or Appearance Due:	28 Days
Originally Served On:	CSC
How Served:	Certified Mail
Sender Information:	Ashley Burkhart 248-385-5704

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To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com



1050 Wilshire Drive
Suite 335
Troy, MI 48084
Tel: 248-385-5704
Fax: 248-457-5009
Email: elvira@sevalawfirm.com

July 8, 2021

Sunbeam and Electrical Appliance Group
2900 West Rd Ste 500
East Lansing MI 48823

**Re: Susan Schulte v Sunbeam Products et al;
Case No.: 21-188462-NP**

To Whom It May Concern,

Please find the following documents enclosed with this letter:

- (1) Summons and Complaint naming Sunbeam Products and Electrical Appliance Group as the Defendants.

Please be advised an answer to the complaint must be filed within 28 days, or a default will be entered against you. Further, please refer to the Michigan Court Rules as to your obligations to provide discovery responses. Upon receipt of this correspondence please file in your usual manner.

Also, please note that we are a paperless office and urge that all communications and correspondence between the parties be conducted electronically. Further, pursuant to MCR 2.107(c)(4), we are requesting e-mail service of all pleadings.

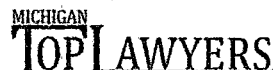
Thank you for your kind attention to this matter.

Very truly yours,

/s/Elvira Orbaczewski

ELVIRA ORBACZEWSKI
LITIGATION PARALEGAL
SEVA LAW FIRM

AB/eo
Enclosures



Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT 6th JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS	CASE NO. 21-188462-NP
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Court address
 1200 N. Telegraph Rd. Pontiac, MI 48341

Court telephone no.
 248-858-1000

Plaintiff's name(s), address(es), and telephone no(s).

Susan Schulte

Defendant's name(s), address(es), and telephone no(s).

Electrical Appliance Group
 2900 West Rd Ste 500
 East Lansing, MI 48823

v

Plaintiff's attorney, bar no., address, and telephone no.

Seva Law Firm
 Ashley Burkhardt (P74765)
 1050 Wilshire Dr. Ste 335
 Troy, MI 48083

This case has been designated as an eFiling case, for more information
 please visit www.oakgov.com/efiling.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 7/8/2021	Expiration date* 10/07/2021	Court clerk Lisa Brown
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

This case has been designated as an eFiling case, for more information please

visit www.oakgov.com/efiling.Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS	CASE NO. 21-188462-NP
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Court address
1200 N. Telegraph Rd. Pontiac, MI 48341Court telephone no.
248-858-1000

Plaintiff's name(s), address(es), and telephone no(s).

Susan Schulte

Defendant's name(s), address(es), and telephone no(s).

Sunbeam Products
2900 West Rd Ste 500
East Lansing, MI 48823

Plaintiff's attorney, bar no., address, and telephone no.

Seva Law Firm
Ashley Burkhardt (P74765)
1050 Wilshire Dr. Ste 335
Troy, MI 48083

v

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

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- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
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- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☒ Court, where

it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 6/28/2021	Expiration date* 09/27/2021	Court clerk Lisa Brown
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

This case has been designated as an eFiling case, for more information please visit
www.oakgov.com/efiling.

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SUSAN SCHULTE,

Plaintiff,

Case No. -NP

Hon.

2021-188462-NP

vs.

SUNBEAM PRODUCTS, INC., and ELECTRICAL
APPLIANCE GROUP

JUDGE DANIEL P.
O'BRIEN

Defendants, joint and several

THE SEVA LAW FIRM
ASHLEY BURKHART (P74765)
Attorneys for Plaintiff
1050 Wilshire Drive, Suite 335
Troy, MI 48084
P: (248) 385 – 5704
F: (248) 457 – 5009
ashley@sevafirm.com
elvira@sevafirm.com

There is no other pending or resolved civil action arising out
of the transaction or occurrence alleged in the complaint.

COMPLAINT

NOW COMES Plaintiff, SUSAN SCHULTE, by and through her attorneys, THE
SEVA LAW FIRM, and for her complaint against Defendants states as follows:

Common Allegations

1. Plaintiff is a resident of Oakland County, Michigan.
2. Sunbeam Products Inc. (Defendant Seller) at all relevant times was engaged in
the business of selling Sunbeam iron, Steam Master Iron, model #GSCBCL – 234
("Steam Master Iron") in Oakland County, Michigan.

FILED Received for Filing Oakland County Clerk 6/11/2021 2:03 PM

3. Electrical Appliance Group (Defendant Manufacturer) at all relevant times did business within Oakland County, Michigan.
4. The amount in controversy exceeds \$25,000.
5. Defendant Manufacturer was the manufacturer and tester of the Steam Master Iron, model #GSCBCL - 234
6. On June 28, 2019, Plaintiff Susan Schulte was injured in Oakland County, Michigan, when the retractable cord on the Steam Master Iron and hit her in the face, and the prong of the cord punctured her eye causing permanent injury and loss to a vital body function, including but not limited to her issues with her vision.
7. Defendant Seller and/or Defendant Manufacturer (collectively "Defendants") owed a duty to Plaintiff to exercise reasonable care in the design, manufacture, and sale of the Steam Master Iron.

Count I

8. Plaintiff incorporates by reference paragraphs 1 through 7.
9. At all relevant times, Defendant Manufacturer owed a duty to exercise reasonable care in the design, manufacture, and sale of the Steam Master Iron.
10. Defendant negligently breached its duties to Plaintiff, including but not limited to the following:
 - a. failing to properly manufacture its Steam Master Iron,
 - b. failing to properly test its products,
 - c. failing to properly warn of injuries, specifically regarding whipping action of the cord and plug,

- d. failing to properly warn and instruct how to avoid whipping hazard from the retractable plug,
 - e. failing to incorporate adequate safety guards to prevent the whipping action of the retractable plug, and
 - f. failing to design the Steam Master Iron to eliminate the hazard that would permit an operator to be injured by the whipping action of the retractable cord.
11. The product was not reasonably safe when it left the control of Defendant Manufacturer.
12. When the product left the control of Defendant Manufacturer, a technically feasible alternative production practice was available that would have prevented the harm without significantly impairing the usefulness or desirability of the product to users and without creating equal or greater risk of harm to others.
13. These breaches of duty proximately caused the following damages to Plaintiff, Susan Schulte, including but not limited to:
- a. Temporary loss of vision in right eye
 - b. Permanent loss of vision in right eye
 - c. Permanent injury and loss to a vital body function
 - d. Loss of income, wages, and earning potential in the future
 - e. Past and future medical expenses,
 - f. Loss of use of her right eye
 - g. Pain and suffering
 - h. loss of enjoyment of life

- i. emotional distress, and
- j. other miscellaneous damages

14. As a direct and proximate result of the negligence of Defendant Manufacturer, Plaintiff Susan Schulte will suffer in the future the following damages:

- a. Temporary loss of vision in right eye
- b. Permanent loss of vision in right eye
- c. Permanent injury and loss to a vital body function
- d. Loss of income, wages, and earning potential in the future
- e. Past and future medical expenses,
- f. Loss of use of her right eye
- g. Pain and suffering
- h. loss of enjoyment of life
- i. emotional distress, and
- j. other miscellaneous damages

15. In the alternative, Defendant Manufacturer had actual knowledge that the Steam Master Iron was defective and that there was a substantial likelihood that this defect would cause injury, and Defendant Manufacturer willfully disregarded that knowledge.

16. In the alternative, Defendant Manufacturer's actions were grossly negligent.

PLAINTIFF REQUESTS that this court enter judgment against Defendant Manufacturer in an amount that will fairly and adequately compensate Plaintiff Susan Schulte for her injuries, together with the costs of this action, interest, and attorney fees.

Count II

17. Plaintiff incorporates by reference paragraphs 1 through 16.

18. The Steam Master Iron, model #GSCBCL – 234 was not reasonably fit for the uses or purposes anticipated or reasonably foreseen by Defendant Manufacturer when it left Defendant Manufacturer's control.

19. As a proximate result of the breach of implied warranty by Defendant Manufacturer, Plaintiff Susan Schulte was injured as previously described.

PLAINTIFF REQUESTS that this court enter judgment against Defendant Manufacturer in an amount that will fairly and adequately compensate Plaintiff Susan Schulte for her injuries, together with the costs of this action, interest, and attorney fees.

Count III

20. Plaintiff incorporates by reference paragraphs 1 through 19.

21. Defendant Manufacturer expressly warranted, represented, and stated that its product was safe to use as instructed.

22. Plaintiff Susan Schulte relied on the representation or statement of express warranty as previously described.

23. Plaintiff Susan Schulte was proximately injured through the breach of express warranty in the manner previously described.

PLAINTIFF REQUESTS that this court enter judgment against Defendant Manufacturer in an amount that will fairly and adequately compensate Plaintiff Susan Schulte for her injuries, together with the costs of this action, interest, and attorney fees.

Count IV

24. Plaintiff incorporates by reference paragraphs 1 through 23.

25. At all relevant times, Defendant Seller owed a duty to Plaintiff to exercise reasonable care, such duty includes but not limited to:

- a. properly selling its products,
- b. purchase its products from reputable manufacturers or properly test the products it sells.

26. The product was not reasonably safe when it left the control of Defendant Seller.

27. When the product left the control of Defendant Seller, a technically feasible alternative production practice was available that would have prevented the harm without significantly impairing the usefulness or desirability of the product to users and without creating equal or greater risk of harm to others.

28. Defendant Seller breached these duties by committing or omitting the following acts:

- a. failing to properly sell its Steam Master Iron, model #GSCBCL – 234
- b. failing to purchase its products from reputable manufacturers or failing to properly test the products it sells

29. These breaches of duty proximately caused the following damages to Plaintiff Susan Schulte:

- a. Temporary loss of vision in right eye
- b. Permanent loss of vision in right eye
- c. Permanent injury and loss to a vital body function
- d. Loss of income, wages, and earning potential in the future
- e. Past and future medical expenses,
- f. Loss of use of her right eye
- g. Pain and suffering
- h. loss of enjoyment of life
- i. emotional distress, and
- j. other miscellaneous damages

30. As a direct and proximate result of the negligence of Defendant Seller, Plaintiff will suffer in the future the following damages:

- a. Temporary loss of vision in right eye
- b. Permanent loss of vision in right eye
- c. Permanent injury and loss to a vital body function
- d. Loss of income, wages, and earning potential in the future
- e. Past and future medical expenses,
- f. Loss of use of her right eye
- g. Pain and suffering
- h. loss of enjoyment of life
- i. emotional distress, and
- j. other miscellaneous damages

PLAINTIFF REQUESTS that this court enter judgment against Defendant Seller in an amount that will fairly and adequately compensate Plaintiff Susan Schulte for her injuries, together with the costs of this action, interest, and attorney fees.

Count V

31. Plaintiffs incorporate by reference paragraphs 1 through 30.

32. The Steam Master Iron, model #GSCBCL – 234 was not reasonably fit for the uses or purposes anticipated or reasonably foreseen by Defendant Seller when it left Defendant Seller's control.

33. As a proximate result of Defendant Seller's breach of implied warranty, Plaintiff was injured as previously described.

PLAINTIFF REQUESTS that this court enter judgment against Defendant Seller in an amount that will fairly and adequately compensate Plaintiff Susan Schulte for her injuries, together with the costs of this action, interest, and attorney fees.

Count VI

34. Plaintiffs incorporate by reference paragraphs 1 through 33.

35. Defendant Seller expressly warranted, represented, and stated that its product safe to use.

36. Plaintiff Susan Schulte relied on the representation or statement of express warranty as previously described.

37. The Steam Master Iron failed to conform to the express warranty and representations.

38. Plaintiff Susan Schulte was proximately injured through the breach of express warranty in the manner previously described.

PLAINTIFF REQUESTS that this court enter judgment against Defendant Seller in an amount that will fairly and adequately compensate Plaintiff Susan Schulte for her injuries, together with the costs of this action, interest, and attorney fees.

Dated: June 11, 2021

Respectfully Submitted,

SEVA LAW FIRM

/s/Ashley Burkhart

ASHLEY BURKHART (P74765)

Attorney for Plaintiff

1050 Wilshire Drive, Ste. 335

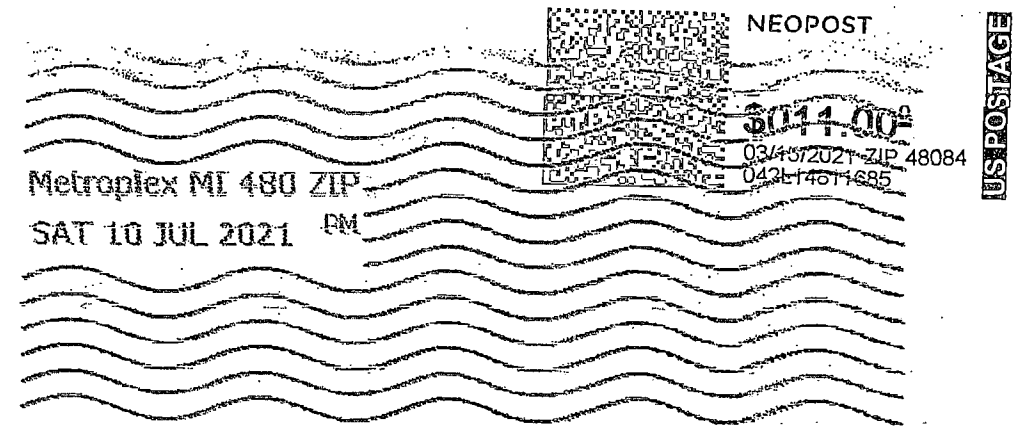
Troy, MI 48084

248-385-5704

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7020 0640 0000 6670 8402



Sunbeam Products
and
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